



MEMO ENDORSED

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June 10, 2013

Hon. James C. Francis
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

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Re: *Zelouf Int'l Corp. v. Nael, Inc., et al.*, No. 13-cv-1788 (S.D.N.Y.)

Dear Judge Francis:

Plaintiff Zelouf Int'l Corp.'s ("Zelouf") and Defendant Sears Holdings Corp. ("Sears") (collectively, the "parties") respectfully request a thirty (30) day extension of time for Sears to answer or otherwise respond to the Complaint in the above captioned matter. In support hereof, the parties rely upon all matters of record to date and further state:

1. This is an action for copyright infringement under 17 U.S.C. §§ 101 *et seq.* a result of alleged copyright infringement by Sears.

2. Zelouf filed its Complaint on March 18, 2013. (Dkt. No. 1.) Zelouf served Sears on March 19, 2013, and Sears' answer or responsive pleading date was April 9, 2013. (See Dkt. No. 4.). Sears requested and received two prior thirty (30) day extensions of time to answer or otherwise respond to the Complaint to and including June 10, 2013. (See Dkt. Nos. 6 & 10.)

3. The Complaint asserts four counts of copyright infringement against Sears, among others, and raises potential issues of liability and damages. The parties have agreed in principal to dismiss Sears from this action without prejudice. The parties are currently negotiating the specific terms of the settlement.

4. In light of the foregoing, and in a desire to promote the efficient management of this case and conserve judicial and party resources, the parties respectfully request that the Court grant their request for an extension of time for Sears to answer or otherwise plead to and including July 10, 2013.

5. On June 7, 2013, the parties corresponded via email and agreed to the requested thirty (30) day extension of time for Sears to answer or otherwise plead to and including July 10, 2013.

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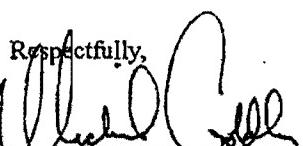
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6. This request is made in the interests of justice and not for the purposes of delay. The parties have exchanged correspondence relating to the resolution of this matter with respect to Sears and agree that a thirty (30) extension of time for Sears to answer or otherwise plead will give the parties the necessary time to resolve the case while conserving judicial and party resources.

Without waiver of either parties' claims and/or defenses, the parties respectfully request that this Court grant their request for an extension of time for Sears to answer or otherwise plead in response to the Complaint in this cause, to and including July 10, 2013.

Respectfully,


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cc: all counsel of record

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6/11/13
Application granted.
SO ORDERED.
James C. Francis IV
JSM/J